

# Confidentiality

## CONFIDENTIALITY OF PERSONAL RECORDS AND INFORMATION:

For the purpose of this policy, the following terms shall mean:

1. "Personal Record" – any information or data recorded in any medium, including but not limited to handwriting, print, tapes, files, microfiche and computer generated lists.
2. "Confidential Personal Information" – personally identifiable records including:
  - a. The name of the individual, the individual's parents or to the family members or guardian;
  - b. The individual's address and phone number;
  - c. A personal identifier such as the individual's social security number;
  - d. A list of personal characteristics which would make the individual's identity known and easily traceable;
  - e. Other information that would make the individual's identity known and easily traceable.
3. "Disclosure/Dissemination" – permitting the release, transfer or other communication confidential personal information orally or in writing, or by electronic means, or by any other means to any party.
4. "Access" – permitting any person/agency the opportunity to review confidential personal information, which includes the personal file, for the purpose of gathering information, program evaluation, copying reports, etc.

Any files or records of personal information this agency possesses are the property of this agency and are maintained for service to persons being supported.

Any information regarding the individual shall be considered confidential. It is the responsibility of all employees of this agency to insure personal information against loss, tampering, or use by unauthorized persons.

Access: The following persons/agencies have authorized access to an individual personal record:

1. All \_\_\_\_\_ administrative and direct care staff.

2. Rolla Regional Center staff
3. Health and Human Services staff
4. DMH Licensure Inspectors
5. Consumer's physician and/or dentist
6. RN consultant or other consultants as identified
7. Social Security or Medicaid representatives for eligibility of benefits determination.

Under no circumstances will individual personal records be accessible to persons not authorized as per this policy. Access to records will not be permitted without specific consent of the person being supported or legal guardian.

#### Individual/Parent/Guardian Access to Records:

The administrator shall give persons being supported or the guardian of an individual declared legally incompetent access to the individual's record, under the following conditions:

1. The request shall be made in writing to the agency administrator. The request shall be kept in the individual's record.
2. The agency administrator may deny access to any personal information if access is determined to be inconsistent with the individual's care, treatment or habilitation. The reason for withholding the record shall be documented in the individual's file and a copy given to the person requesting the information.
3. The individual's record may be reviewed only in the presence of the agency administrator.

Only information generated by the agency will be given to persons being supported and/or family/guardian. Information from other facilities/agencies should be requested directly from the original source.

All consumer and staff records and information will stay at the agency for a minimum of seven (7) years.